

a \$500 million increase over last year. Most of this increase has been devoted to counterterrorism.

H.R. 2862 also increases funding to fight sexual predators who prey upon our children. The bill provides \$48 million to continue and expand the Missing and Exploited Children Program. It also funds a Cyber-Tipline, an online resource where people can report leads and tips about child sexual exploitation.

Finally, the bill provides \$2.7 million for the FBI's innocent images program to investigate and capture child pornographers who use the Internet to prey on children.

In addition to sexual predators, gangs are becoming a growing local, regional, and national problem. We have provided increases to the ATF, U.S. Attorneys and the FBI to help fight against gangs in our schools and communities.

Any anti-gang strategy must focus on three principles: prevention, intervention and suppression. In my own State of Maryland, in Montgomery and Prince George's Counties, and around the State, gangs are a growing problem.

This bill provides \$2 million for Montgomery and Prince George's Counties to deal with gang violence and fund prevention programs. It also provides another \$2 million to combat gang violence and gang prevention programs around the State of Maryland. The purpose of this funding is to bring federal resources to the local level to help stop and prevent further gang violence from afflicting our neighborhoods and communities.

Mr. President, the President's budget cut state and local law enforcement by \$1.4 billion. We were able to restore \$1.1 billion of that cut in this bill.

I know how important our local police are to fighting crime and gangs. Our local police are the first responders. If we were not subjected to strict limits on spending that were imposed on us by the Budget Resolution, we would have provided additional funding for state and local law enforcement.

But with the need to increase funding for counterterrorism and counterintelligence, plus the need to address the growing problems of both methamphetamine abuse and regional and even international gang violence, we had to make difficult choices, under very difficult circumstances.

Mr. President, the Science, State, Justice, and Commerce Appropriations bill is about investing in science and technology to spur innovation in our economy, protecting our Nation, and saving communities, lives, and livelihoods.

Investments in innovation are critical so America will retain its competitiveness as well as its economic and national security. Through the Department of Justice and its major law enforcement bureaus, we are increasing our commitment to protecting children from sexual predators and making our

neighborhoods and communities safer from gang violence and street crime.

I look forward to working with my colleagues next year to continue the progress we have made and increase our commitment to innovation, science and technology.

#### LIHEAP

Mr. KENNEDY. Mr. President, winter is coming, and it could easily become a perfect storm of high energy prices, bitter cold, and too little heat for those in need.

Households heating primarily with natural gas will pay an average of \$306 more this winter for heat, an increase of an incredible 41 percent over last year. Those relying primarily on oil for heat will pay \$325 more, an increase of 27 percent.

The poor, the elderly, and the disabled need our help and they need it now.

Wilhelmina Mathis is one example of what is happening to the most vulnerable in our society. Wilhelmina is 71 years old and lives alone. All last winter she kept her thermostat set at 60 degrees to save money. She hopes the Federal Government will come through with more LIHEAP money. She says: "I turn down the thermostat as low as I can and sometimes I turn it off and put on extra sweaters. I don't know how much longer I can keep doing this."

We have tried four times this year to increase funds for LIHEAP, and all four times we were defeated by the overwhelming Republican majority who voted in lock-step to reject it.

The failure of the Republican Congress to increase LIHEAP funds continues to put millions of our fellow citizens at risk. But the Bush administration and the Republican Congress are telling the elderly, the disabled, and children across America that it doesn't matter if they have no heat this winter—they aren't a priority.

In fact, the Republican leadership is forcing us to make impossible choices. Look at the Labor-HHS bill. The Republican leadership is telling us that if we fund LIHEAP, we must cut health care for seniors, cut education for our children, cut essential job training funds for people trying desperately to enter the workforce and attain a level of self-sufficiency.

It is unconscionable. Why are we being forced to help one family at the expense of another? We must increase LIHEAP funds and fight against cuts to other essential health, education, and labor programs. It is time for Congress to stand up for the American people. We tell them we hear them and understand their struggle, now it is time to put our money where our mouth is. We need to stop the rhetoric and take action. The American people deserve nothing less.

Mr. KOHL. Mr. President, I rise as a cosponsor of the amendment offered yesterday by the Senator from Rhode

Island to the tax reconciliation bill. This amendment addresses a concern that is on the mind of many Wisconsinites as winter quickly approaches—the increased cost of home heating.

The timing of this amendment could not be more relevant. Last week, executives from several major oil companies attempted to defend their record-breaking profits over the last quarter, in a hearing before the Senate Commerce and Energy Committees. Despite their efforts, they were unable to provide adequate answers. More importantly, they were unable, or unwilling, to provide solutions that would ease the burden on American consumers.

I would like to remind my colleagues that while prices at the pump have declined slightly, we are not yet in the clear. Winter is just around the corner, and with colder temperatures comes higher heating bills. I know my constituents in Wisconsin are worried not only about the costs of filling their cars, but also the costs of heating their homes. As the profits of these oil companies continue, what answers can I provide to these constituents, these hard-working Americans, about how they will pay their heating bills?

I believe the amendment of the Senator from Rhode Island was a first step towards offering my constituents some piece of mind when it comes to heating their homes. This amendment would have created a temporary, 1-year levy on the excess profits of U.S. oil companies to provide \$2.92 billion for the Low-Income Home Energy Assistance Program. Because this would only be in place for 1 year, and only effect profits made in 2005, this amendment would have no effect on gas prices or do anything to increase dependence on foreign oil. The amendment offered a simple, short-term solution that would provide real help to those who will need it most, when the temperature starts to drop.

The Energy Information Administration has forecasted significantly increased home heating costs this winter. For those using home heating oil, the average increase in price will be \$325 over last year. While that might not be much to the oil executives, I can assure you that it could mean going without heat for some families in Wisconsin. I believe it is the responsibility of the Federal Government to protect consumers when the market fails to do so.

I am deeply disappointed that the amendment failed in last night's vote. I assure my constituents that I will continue to work towards a comprehensive solution to high heating costs.

Mr. CARPER. Mr. President, I am pleased to voice my support for the Low-Income Home Energy Assistance Program and for the Reed amendment that I cosponsored to S.2020, the tax reconciliation bill. The Reed amendment would have fully funded LIHEAP in fiscal year 2006 and would have paid for the increased funding with a temporary tax on the windfall profits of major oil companies.

The Senate fiscal year 2006 Labor, Health and Human Services, and Education Appropriations bill took an important first step toward providing adequate LIHEAP funds by including \$2.183 billion for the program for next fiscal year. This is a good starting point.

However, \$2.183 billion represents only a very slight increase over fiscal year 2005 levels and is likely not enough to meet the needs of LIHEAP beneficiaries in the coming winter.

For this reason, I have worked to find ways to increase funding for the LIHEAP program and to do so in a manner that is fiscally responsible. The Reed amendment would have added \$2.92 billion to the LIHEAP program and paid for this increase by taxing the windfall profits of major oil companies.

Some have criticized this windfall profits tax. Yet I believe that a temporary, limited tax on the windfall profits of energy companies is a reasonable way to help the least fortunate among us pay for their home energy needs.

Indeed, I believe that the country's oil producers can afford to help pay for LIHEAP. Last month they posted record profits. ExxonMobil reported that their profits rose 75 percent, and in just 3 months they made \$9.92 billion in profit. Similar record profits have been reported by all of the major integrated oil companies. Some of this increase in profit is due to oil prices that started to rise this summer even before Hurricanes Katrina and Rita struck the gulf coast. After the hurricanes, though, the price of gasoline, diesel, jet fuel and other refined oil products soared.

Our Nation is still struggling to recover from the disasters along the gulf coast. All Americans have had to make sacrifices as a result. This winter the country is facing another crisis, record energy prices and associated increased household heating bills.

According to the U.S. Energy Information Administration, consumers who heat their homes with natural gas prices—about 55 percent of U.S. households—are expected to see their heating bills rise by 48 percent this winter. Those who heat with oil will pay 32 percent more, those who heat with propane will pay 30 percent more, and those who heat with electricity will pay 5 percent more.

These increases will take the greatest toll on the least fortunate among us. Low-income Americans will have a harder time heating their homes and may turn their heat down dangerously low in hopes of being able to pay their monthly bills.

That is why the LIHEAP program is so important. LIHEAP provides vital home energy assistance to low-income families to help them weatherize their homes and pay their energy bills.

The Reed amendment would have asked the oil companies that have profited so much from recent rising energy

prices to help ease the burden of this winter's high prices.

I am pleased with the approach taken by the Reed amendment because I believe that we should try to pay for increases in spending. I have been uncomfortable supporting some previous amendments to increase funding for the LIHEAP program because they did not find a way to pay for the increased spending.

Senator REED has found a way not only to fully fund this vital program, but to pay for it as well.

Unfortunately, Senator REED's amendment was not accepted by the full Senate during consideration of the tax reconciliation bill. The amendment needed 60 votes to overcome a point of order and received only 50.

We will keep trying though.

The LIHEAP program serves a vital function in helping as many as 5 million low-income households who need a bit of help paying their energy bills or weatherizing their homes. I'm pleased to have been a cosponsor of the Reed amendment and I will continue to look for ways to increase funding for the LIHEAP program.

#### INTERNET GOVERNANCE

Mr. BURNS. Mr. President, I rise to say a few words about the resolution I submitted and which was approved by unanimous consent on the Senate floor this week, in support of the President's position on Internet governance at the U.N. Summit on the Information Society. I thank the cosponsors on this resolution: Senators STEVENS, INOUE, LEAHY, SMITH, SUNUNU, BILL NELSON, HUTCHISON, INHOFE and CRAIG. And I also acknowledge Senator COLEMAN for all his good work on this issue.

No one can really control the Internet. It is not supposed to be controlled. It is an architecture, literally and figuratively, of freedom—freedom of information, of speech, of interconnection, of religion. Because the Internet was developed and commercialized in the United States, it reflects those core American values, and boosts them all around the world. And the United States should be proud of the way it has handled the growth of the Internet—particularly in the way it has kept the private sector experts in charge, and government bureaucrats out.

I have been particularly concerned the status of the Internet Corporation for Assigned Names and Numbers, ICANN, the private, expert body that oversees and manages the Internet's Domain Name System. This is the "plumbing" that makes each Internet site unique and keeps the Internet a global unitary network. The United States created ICANN and its unique model of oversight, with the input of international stakeholders. And U.S. Government oversight of ICANN has been critical in making ICANN more responsive and more capable of carrying out its important technical mis-

sion. ICANN is not perfect. I have been critical of its shortcomings in the past, and will continue to do so in the future. But I strongly support its model of governance that leaves the private-sector experts in charge.

The preliminary news from the U.N. conference seems to be good. Some of the worst ideas, such as creating a new U.N. bureaucracy instead of ICANN, or to direct ICANN, seem to have been avoided. But I will look closely at the final results and make sure that nothing has been agreed to that could damage the Internet. I hope to hold a hearing in the Commerce Committee early next year about this, and I look forward to hearing the testimony of the key stakeholders at that time.

#### THE SUCCESS OF THE 1994 BRADY ACT

Mr. LEVIN. Mr. President, statistics released last month by the Department of Justice indicate that the 1994 Brady Act has had a meaningful impact on keeping firearms out of the hands of criminals. The annual Bureau of Justice Statistics bulletin titled "Background Checks for Firearms Transfers" reveals that nearly 126,000 firearm transactions to prohibited individuals were prevented in 2004 alone.

As my colleagues know, the 1994 Brady Act requires individuals seeking to acquire guns from a federally licensed firearms dealer to undergo a background check. This process requires the applicant to provide a variety of personal information, which is not retained longer than 4 days unless the person is prohibited by law from receiving or possessing firearms. The primary factors that disqualify individuals from receiving firearms include felony or domestic violence convictions, identification as a fugitive or illegal alien, substance abuse, and serious mental illness. Unfortunately, membership in a known terrorist organization does not automatically disqualify an applicant from receiving or possessing a firearm under current law. This is one of the loopholes in our gun safety laws that should be addressed by Congress.

The Department of Justice reports that since enactment of the 1994 Brady Act, more than 1.2 million applications for firearms transfers have been rejected because disqualifying information was uncovered during a background check of the applicant. Of the applications that were rejected in 2004, 44 percent were rejected because the applicant had been convicted of or was under indictment for a felony offense. In addition, 16 percent were rejected because of domestic violence convictions or a related restraining order.

According to the Department of Justice statistics, almost 80 percent of the rejected applicants in 2004 had a serious criminal history, had been involved in domestic violence, or were identified as a fugitive. This means that nearly 100,000 times last year, criminals and